

11746. Adulteration of skim milk cheeses. U. S. v. 520 * * *. (F. D. C. No. 19815. Sample No. 35972-H.)

LIBEL FILED: May 2, 1946, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about April 4, 1946, by the West Concord Butter & Cheese Assoc., from West Concord, Minn.

PRODUCT: 520 75-pound skim milk cheeses at Oklahoma City, Okla.

LABEL, IN PART: "Skim Milk Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect parts, rodent hairs, and manure; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 23, 1946. The West Concord Butter & Cheese Assoc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered sold as unfit for human consumption. It was disposed of as stock feed.

11747. Adulteration of Romano cheese. U. S. v. 68 Cases, etc. (and 4 other seizure actions). (F. D. C. Nos. 21363, 21364, 21591, 21637, 21751. Sample Nos. 59910-H to 59912-H, incl., 59914-H, 64460-H, 64562-H, 81505-H.)

LIBELS FILED: Between October 23 and November 22, 1946, Western District of Pennsylvania, Southern and Eastern Districts of New York, and District of Oregon.

ALLEGED SHIPMENT: Between the approximate dates of August 13 and September 18, 1946, by the Colorado Cheese Co., Inc., from Trinidad, Colo.

PRODUCT: 17,524 pounds of Romano cheese, in various lots, at Pittsburgh, Pa., New York, N. Y., Brooklyn, N. Y., and Portland, Oreg.

LABEL, IN PART: "Colorado Romano Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots, insect fragments, and mites; and, Section 402 (a) (4), (Portland lot) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: Between December 18, 1946, and August 19, 1947. The Sausage Manufacturing Co., claimant for one of the Pittsburgh lots, and the Colorado Cheese Co., Inc., claimant for the New York City and Brooklyn lots, having admitted the facts of the respective libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. No claimant having appeared for the other Pittsburgh lot and the Portland lot, decrees of condemnation were entered and the product was ordered destroyed.

EGGS

11748. Adulteration and misbranding of frozen eggs. U. S. v. L. Meyer and Co. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 21438. Sample No. 8096-H.)

INFORMATION FILED: February 11, 1947, District of New Jersey, against L. Meyer & Co., a corporation, Jersey City, N. J.

ALLEGED SHIPMENT: On or about February 4, 1946, from the State of New Jersey into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of frozen eggs, water, and yellow coal-tar color had been substituted for frozen eggs; Section 402 (b) (3), the article was inferior to frozen eggs, and its inferiority had been concealed by the addition of yellow coal-tar color; and, Section 402 (b) (4), water had been added to the article so as to increase its bulk and weight and reduce its quality, and yellow coal-tar color had been added to the article so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for frozen eggs since it was not prepared by freezing liquid eggs as defined in the regulations, in that the article also contained added water and yellow coal-tar color.

DISPOSITION: June 11, 1947. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$400 was imposed.

11749. Adulteration of frozen whole eggs. U. S. v. The Cudahy Packing Co. Plea of guilty. Fine, \$400 and costs. (F. D. C. No. 21516. Sample No. 63554-H.)

INFORMATION FILED: December 23, 1946, District of North Dakota, against the Cudahy Packing Co., a corporation, Fairmount, N. Dak.

ALLEGED SHIPMENT: On or about May 27, 1946, from the State of North Dakota into the State of New Jersey.

LABEL, IN PART: "Cudahy's Whole Eggs Sunlight * * * Frozen."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: April 4, 1947. A plea of guilty having been entered, the court imposed a fine of \$400, plus costs, against the defendant.

11750. Adulteration of frozen whole eggs. U. S. v. 50 Cans * * *. (F. D. C. No. 21624. Sample No. 57549-H.)

LIBEL FILED: November 5, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about June 21, 1946, by Frank Pilley & Sons, Inc., from Sioux City, Iowa.

PRODUCT: 50 30-pound cans of frozen whole eggs at Boston, Mass.

LABEL, IN PART: "Pilley's Poultryland Frozen—Fresh Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a putrid substance.

DISPOSITION: January 7, 1947. Frank Pilley & Sons, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured, under the supervision of the Federal Security Agency, and that it be disposed of for use in tanning leather.

11751. Adulteration of frozen egg product "Dublegg". U. S. v. 100 Cans * * *. (F. D. C. No. 21625. Sample No. 57548-H.)

LIBEL FILED: November 7, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 29, 1946, by the Arthur Redmond Co., Inc., from Terre Haute, Ind.

PRODUCT: 100 30-pound cans of frozen egg product, Dublegg, at Boston, Mass.

LABEL, IN PART: "Dublegg."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a putrid substance.

DISPOSITION: December 13, 1946. The Arthur Redmond Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Federal Security Agency.

FEEDS AND GRAINS

11752. Misbranding of stone rice bran. U. S. v. Liberty Rice Mill, Inc., and A. Tartak, Jack M. Kaplan, and Louis M. Simon. Pleas of nolo contendere. Total fines, \$4,000. (F. D. C. No. 21492. Sample Nos. 1361-H, 1373-H.)

INFORMATION FILED: January 6, 1947, Western District of Louisiana, against the Liberty Rice Mill, Inc., Kaplan, La., and A. Tartak, president, Jack M. Kaplan, secretary and treasurer, and Louis M. Simon, general manager.

ALLEGED SHIPMENT: On or about December 8, 1945, and January 15, 1946, from the State of Louisiana into the States of Georgia and Florida.

LABEL, IN PART: "Stone Rice Bran."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "Minimum percent Crude Protein 7.00% * * * Maximum percent Crude Fibre 27.00%," were false and misleading since the article contained less than 7 percent of crude protein and more than 27 percent of crude fiber. Further misbranding, Section 403 (a), the label statement "Stone Rice Bran" was false and